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Jamaica

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Introduction

1. Jamaica is pleased to present its report to the second cycle of the Universal Periodic Review (UPR) of the United Nations Human Rights Council (HRC).

2. In accordance with the Jamaican Constitution, the Government of Jamaica remains committed to the promotion and protection of all human rights. Jamaica will continue to cooperate with international treaty bodies in its quest to ensure that the rights and freedoms of Jamaicans are observed.

3. Jamaica's review by the Committee on the Rights of the Child (CRC) took place in January 2015. Jamaica also submitted in March 2015, its fourth periodic report to the Human Rights Committee under the International Covenant on Civil and Political Rights (ICCPR).

Methodology/Consultation

4. This report was prepared by the Ministry of Foreign Affairs and Foreign Trade (MFAFT) in consultation with other members of the UPR/ICCPR Steering Committee including the Ministries of Justice, National Security, Health, Education, and Youth and Culture; the Child Development Agency (CDA), Bureau of Women's Affairs (BWA), and the Office of the Public Defender (OPD). It outlines progress made by Jamaica since the first review in 2010.

Developments since the last review

5. The Government of Jamaica has embarked on a path of national transformation through *Vision 2030 Jamaica's National Development Plan* (2009–2030). The Plan revolves around four (4) national goals: Jamaicans are empowered to achieve their fullest potential; the Jamaican society is secure, cohesive and just; Jamaica's economy is prosperous; and Jamaica has a healthy natural environment.

6. In an effort to address the fallout in Jamaica's economy as a result of the 2008 global economic recession, the Government entered into a borrowing relationship with the International Monetary Fund (IMF) in May 2013 *viz* a four-year Extended Fund Facility (EFF). The Government's Economic Reform Programme has yielded positive results, including unemployment reduction, economic growth, reduced inflation, narrowing of the current account deficit and increased local and foreign investments. Jamaica has so far passed seven consecutive quarterly reviews under the IMF's EFF. The World Bank and the Inter-American Development Bank have also provided substantial support for programmes aimed at supporting Jamaica's macroeconomic sustainability and strengthening the country's path towards higher economic growth. Legislative support for the economic programme was provided through the passage of several pieces of legislation including The General Consumption Tax (Amendment) Act, The Tax Collections (Miscellaneous Provisions) Act and The Customs (Amendment) Act.

7. In an effort to ensure that the vulnerable in the society are protected, Jamaica's first comprehensive social protection strategy was developed in 2013. The Strategy defines goals and objectives of an effective social protection system, and proposes a structured approach to interventions across the gamut of social welfare, social security and labour market initiatives.

8. In the midst of challenges, including fiscal constraints, the Government has worked to boost the economy, though, *inter alia,* road infrastructure enhancement with support from the Government of China. Having set a target of 30% renewable energy by 2030, the Government is collaborating with various private sector stakeholders on alternative energy programmes. Jamaica is also positioning itself to serve as a logistics hub.

9. The Government has established several new schools and upgraded many existing ones. Emphasis continues to be placed on early childhood education. More than 16,000 students in 27 institutions have received devices under the Government's $1.4 billion 'Tablets in Schools' (Pilot) Project targeting 24,000 students and 1,200 teachers in institutions at various levels, from early childhood/pre-primary to teacher's college.

10. The Government of Jamaica remains aggressive in its drive to reduce crime and violence including through social interventions, community programmes and more effective policing. The Jamaica Constabulary Force (JCF) has acquired new equipment and technology, established additional posts and increased recruitment. These efforts have been bearing fruit as Jamaica has registered a downward trend in serious crimes over the last five (5) years.

11. Jamaica remains vulnerable to the adverse impacts of climate change, particularly natural disasters such as hurricanes, which reverse valuable gains achieved over many years. For instance, as a consequence of a drought which Jamaica experienced during the summer months of 2014, the country recorded negative growth for half of that year. The primary foci of ongoing sustainable development activities are: increasing the resilience of the natural environment, climate change adaptation, institutional capacity-building, development planning and geospatial data management.

Human rights instruments (Recommendations 98.1, 98.2, 98.3)

12. Jamaica is party to seven of the nine core international human rights instruments. Jamaica ratified the Optional Protocol to the Convention on the Rights of the Child (CRC) on the sale of children, child prostitution and child pornography on 26th August 2011; and, in 2009, passed a Child Pornography (Prevention) Act and a Sexual Offences Act, which address child pornography and child prostitution, respectively.

13. The Disabilities Act 2014 was approved by Parliament in October 2014. Jamaica will now consider the ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities.

UN special procedures (Recommendations 99.5, 99.6, 99.7)

14. The Government continues to assess invitations to human rights special procedures mandate holders on a case-by-case basis. Jamaica hosted a study tour in April 2015 of the Special Rapporteur on Violence against Women.

15. Jamaica has made significant progress in addressing many of the recommendations made by the Special Rapporteur on Torture and other cruel, inhuman or degrading treatment or punishment *viz* paragraph 77 of his Report (A/HRC/16/52/Add. 3). Jamaica's responses to those recommendations that are not covered in other sections of this report are included in ***Annex I.***

Treaty reporting obligations (Recommendations 98.6, 98.7, 100.9)

16. Since this recommendation, Jamaica has taken steps to bring its reports up-to-date, and is currently working to complete outstanding reports. In order to improve its reporting procedures and compliance, the GOJ established an Inter-Ministerial UPR/ICCPR Steering Committee in 2012 to facilitate dialogue among stakeholders, including civil society representatives, on implementation of the provisions of the ICCPR and recommendations of the Human Rights Committee and the UPR. Individual Ministries, Departments and Agencies also conduct inter-Ministerial consultations on human rights reports under their respective purview.

17. The Government is contemplating technical assistance from the OHCHR and UNDP to implement treaty body recommendations.

18. Jamaica has consistently demonstrated its willingness to cooperate with the mechanisms of the UN human rights systems, including UN treaty bodies. It is important to recognise that human and resource constraints can impede the timely submission of reports by developing countries like Jamaica. This is not to be construed as a lack of genuine interest or desire to abide by the reporting schedule, but rather a reflection of the real challenges faced by small countries like Jamaica, which we seek to address through steps such as those outlined above.

Implementation of UPR recommendations (Recommendations 98.35, 98.36)

19. Jamaica's success in implementing many of the recommendations from the UPR and the various human rights treaty bodies has been facilitated by the kind assistance of key bilateral partners, many of which are mentioned in various sections of the report, as well as UN bodies and international development partners. Civil society and NGOs have also been consulted/engaged and have provided support for the implementation of a number of recommendations.

Women's rights and gender equality (Recommendations 98.8, 98.9, 98.10, 98.11, 98.13, 98.14, 98.15, 98.16, 99.1, 99.11, 99.12, 99.28, 99.29, 99.30, 99.26, 99.27, 100.15)

20. Jamaica finalised a National Policy for Gender Equality (NPGE) in 2011. The Government continues to make significant strides in enhancing gender equality and empowering women and girls. According to a study conducted in 108 countries by the International Labour Organisation (ILO), Jamaica was ranked with the highest proportion of women managers globally – 59.3%. The study found that the number of women in senior and middle management positions has increased over the last 20 years, and that women own and manage over 30% of all businesses.

21. There have been notable achievements in the sphere of public decision-making with women accounting for 58.9% of workers in the public sector and 40.5% in the private sector. Jamaica's Prime Minister is female. Twenty-one per cent of parliamentarians are female. Fifty-six (56) per cent of Permanent Secretaries are female. Of the nineteen (19) Heads of Diplomatic and Consular Missions, eight (8) are women. The Chief Justice of Jamaica, Director of Public Prosecutions, Solicitor General, Auditor General, Head of the Jamaica Defence Force Coast Guard, Children's Advocate, Chief of State Protocol,

Commissioner of Corrections and a Deputy Commissioner of Police are women. Most of the senior positions in the Office of the Director of Public Prosecutions (DPP) and all the senior posts in the Attorney General's Chambers are held by women. Men represent 59.5% of the private sector and 41.1% of the public sector[1].

22. A Joint Select Committee has been established to address female under-representation in Parliament, local authorities and other areas of public and political leadership. The Committee will recommend practical measures, including the use of temporary special measures, to correct the systemic gender inequalities which impact on women's under-representation in these areas.

23. A National Strategic Plan of Action to Eliminate Gender-based Violence in Jamaica (NSPA-GBV) is currently being finalised as part of a strengthened effort to address gender-based violence in all its forms. It represents a comprehensive analysis of the causes and consequences of violence against women. The Plan of Action focuses on five (5) priority areas – prevention, protection, prosecution, punishment and redress, protocols for coordination and data collection. A Core Working Group (CWG), under the guidance of the Office of the Prime Minister (OPM), was established to operate as a stakeholder-monitoring body, charged with the responsibility of guiding and providing oversight for the revision and completion of the Plan. (Jamaica operates on the premise that 'gender' refers to **both** male and female. Hence the NPGE takes account of the concerns of men and women.)

24. The Bureau of Women's Affairs (BWA) signed a Memorandum of Understanding (MOU) with the Ministry of National Security in September 2013, regarding the harmonisation of data categories to facilitate a proper assessment of the prevalence of gender-based violence. This will be done through a Crime Observatory, which will, *inter alia*, assist the Bureau in the collection of sex-disaggregated data to examine the relationship between victims and offenders as well as facilitate evidence-based policy-making and violence prevention activities. It should also be noted that the Bureau recently established a 'Male Desk'.

25. The BWA conducted a baseline assessment of policing and prosecution of sexual offences in Jamaica, to establish the key hindrances to the successful policing and prosecution of sexual offences in order to end gender-based violence. Resulting recommendations were made regarding legislative, policy, policing and prosecutorial changes, aimed at ensuring that offenders are punished and that the trauma of the prosecution process for sexual assault victims is minimised. A gender-specific approach underpinned the evaluation of the problems and the proposed solutions.

26. As part of a CARICOM-wide initiative to end gender-based violence through strengthened and responsive State and civil society action, the BWA conducted a baseline assessment of policing and prosecution of sexual offences in Jamaica. The objective of the assessment was to establish the key hindrances to the successful policing and prosecution of sexual offences in order to end gender-based violence and to enhance the enjoyment of fundamental human rights. Resulting recommendations were made regarding legislative, policy, policing and prosecutorial changes, aimed at ensuring that offenders are punished and that the trauma of the prosecution process for sexual assault victims is minimised. A gender-specific approach underpinned the evaluation of the problems and the proposed solutions.

27. Various government agencies including the Bureau of Women's Affairs (BWA), as well as NGOs, engage in social outreach programmes including the Schools Education Programme (SEP) in an effort to address gender-based violence (GBV). Hospitals, health

[1] Source: Economic and Social Survey of Jamaica (ESSJ) 2013.

centres, police stations and the court system receive reports of cases of different types of GBV and record incidents. Public sector departments with responsibility for domestic violence, child abuse, sexual offences, etc. have also been making attempts to collect and analyse data.

28. The programmes include the following ***(see Annex for details)***:

- THE CENTRE FOR THE INVESTIGATION OF SEXUAL OFFENCES AND CHILD ABUSE (CISOCA), JAMAICA CONSTABULARY FORCE
- COUNSELLING AND THERAPY
- DOMESTIC VIOLENCE INTERVENTIONS
- LEGAL AID AND ADVICE
- HOTLINES
- PROGRAMMES FOR CHILDREN AND YOUTH
- *The Bustamante Hospital for Children - CAMP Bustamante (Child Abuse Mitigation Project).*

29. Jamaica continues to be engaged in the UN Secretary General's UNiTE to End Violence against Women Campaign. This Campaign includes Public Service Announcements (PSAs), aired on local television and radio stations, featuring local artistes who advocate for an end to violence against women.

30. The Government continues to support the work of women's NGOs through annual subventions for women in crisis including domestic violence. Nineteen community-based groups received $2.9 million to support income-generating activities for economic and social empowerment, under the Inspiring Change Initiative of the Bureau of Women's Affairs. Work has commenced towards the development of a national shelter strategy for victims of gender-based violence. An advocacy campaign was launched in the last quarter of 2014 to promote awareness of the issue of violence against women and girls and other forms of gender-based violence. Cabinet has issued instructions to the Office of the Chief Parliamentary Counsel to draft sexual harassment legislation.

Justice and police reform (Recommendations 98.18, 98.19, 98.20, 98.21, 99.2, 99.3, 99.4, 99.31, 99.32)

31. The Justice Reform Implementation Unit was established in 2012 in the Ministry of Justice. This Unit consolidates, coordinates, monitors and supports the timely delivery of all justice sector reform initiatives and drives the long-term implementation of the Justice Reform Agenda. Several projects and programmes have been developed to ensure speedy and fair trials and improve the delivery of justice by the courts. A Criminal Case management pilot project has been implemented in four courts to encourage fair and speedy case resolution. Additional judges have been retained, who will be deployed on a rotational basis to a newly-established regional Supreme Court location. Legislation enabling additional judicial appointments has been enacted.

32. Several pieces of legislation have been proposed and/or passed by Parliament to ensure fair and speedy trials. The Evidence (Special Measures) Act (2012) allows for the use of video-recorded interviews and live audio-visual link evidence by vulnerable witnesses. The aim is to encourage the availability and increase the quality of certain evidence and facilitate the expeditious disposal of cases. The Committal Proceedings Act (2013) to abolish preliminary examinations and to introduce the process of committal proceedings whereby, to reduce delay and expense, a person's written statement, if it

satisfies certain conditions, will be admitted in committal proceedings as evidence to the same extent and effect as if such person had given oral evidence before the Resident Magistrate in the committal proceedings. Proposed legislation will address the expansion of the jury pool, the elimination of certain jurisdictional silos, such as introduction of trial delay standards for the disposal of summary cases, the requirement to give notice of intention to rely on the defence of alibi and the imposition of discounted sentences where an accused pleads guilty.

33. The Court Management Services was established in August 2009 to strengthen judicial independence and enable the Judiciary and the Courts to have greater input in budgetary decisions and execution of activities surrounding the operations of the Courts. This facilitates a more efficient operation of the Court System. In February 2014, Cabinet approved a Strategic Governance Framework for the Court Management Services, prepared with the assistance from the Canadian Government, which involves, *inter alia* (i) the establishment of an Advisory Board, chaired by the Chief Justice and with a majority of members appointed from the Judiciary, and with representation from the Bar and the Private Sector; (ii) the establishment of a new post of Executive Legal Officer in the Office of the Chief Justice to provide legal/administrative support to the Chief Justice; and (iii) the establishment of a new post of Chief Magistrate, to be the administrative head of the magistracy, reporting to the Chief Justice.

34. The Ministry of Justice has responsibility for the overall implementation and administration of the National Restorative Justice Programme. The goals of this Programme are to reduce criminal case backlog by diverting cases from the formal justice system and resolving conflicts at the community level. It encourages increased public confidence and trust in the justice system by fostering greater participation in and ownership of restorative justice processes by communities and victims. The Restorative Justice Programme has trained approximately one hundred and sixty (160) Restorative Justice Facilitators. Currently, there are nine (9) restorative justice centres across Jamaica. During April 2013 and August 2014, the programme received forty eight (48) cases island-wide, primarily involving volatile communities.

35. The JCF is seeking to employ a more technology-driven approach to crime fighting. The Government's Forensic Laboratory acquired ballistics comparison microscopes and DNA kits from the US Government. A polygraph centre was officially opened at the Police Academy in St. Catherine. The Government acquired additional vehicles in 2014 which will assist in crime-fighting efforts. These include eight forensic vehicles received from the US Government – five of which have been assigned to the JCF and three to INDECOM. As part of its thrust to reduce the use of deadly weapons in crime-fighting, the JCF has acquired 3,400 kits containing non-deadly weapons and restraints. These items represent the first tranche of a US$2.4 million donation from the United States.

Allegations of extrajudicial killings, unlawful use of force, ill-treatment or abuse by security personnel and INDECOM (Recommendations 99.15, 99.16, 99.17,99.18, 99.19, 99.20, 99.21, 99.22, 99.23, 99.24, 99.33, 98.23, 98.24)

36. In addition to investigation, efforts are continuing to strengthen the prosecutorial arm of the Justice System to make it more efficient and effective. The Government continues to act to ensure that police officers who are implicated in extrajudicial killings and who have fled Jamaica are extradited, where possible, to answer charges.

37. The Independent Commission of Investigations (INDECOM) was established in 2010 in order to ensure that allegations of extrajudicial killings are investigated in a prompt

and effective manner. INDECOM receives approximately 600 complaints each year. Approximately 2,000 investigations are currently underway. The Commission has recorded a downward trend in security force-related fatalities in 2014, compared to 2013. A 50% decline was recorded at the end of 2014.

38. Since its establishment, there has been an increase in INDECOM's budget from $37.934 million Jamaican Dollars for the 2010/2011 Financial Year, to $342.587 million Jamaican Dollars for the 2014/2015 Financial Year. The staff complement was increased from 28 in August 2010, to 105 as at February 2015. The Commission commenced operations with one Office in Kingston (the Capital). Currently, it has two (2) additional offices in the parishes of St James (Western Regional Office), and Manchester (Central Regional Office), as well as two (2) satellite offices in St. Thomas (eastern Jamaica) and Westmoreland (western Jamaica).

39. The Government's significant commitment has been complemented by, *inter alia*, the valuable assistance received from bilateral partners. ***(See Annex for details).***

Conditions in prisons and detention facilities (Recommendations 98.12, 100.18, 100.19, 99.8, 99.9, 99.10)

40. Efforts continue to prevent overcrowding in prisons and detention facilities. A multi-stakeholder committee, led by the Ministers of National Security and Justice, is reviewing the detention system and developing a strategic response to the issue of the treatment of persons in lock-ups and correctional facilities, including the necessary infrastructural modifications. The following issues have been identified for action by the committee, which will report its recommendations to Cabinet later this year:

(a) Reduction of over-crowding in lock-ups and prisons, through process improvements and law reform;

(b) Review of the current Lock-up Administration Policy, to address issues relating to training, professionalism and accountability of officers who interface with persons in custody, and to address issues relating to persons in custody who have special requirements e.g. children, persons suffering from mental health issues etc.;

(c) Examination of the infrastructure and logistics of detention facilities.

41. The Government is firmly committed to improving existing conditions to satisfy international human rights standards in the operation of lock-ups and correctional facilities; however, the chief obstacles to this goal include the outdated physical infrastructure of the lock-ups and prisons and the inadequacy of human and financial resources to supervise and operate lock-ups and prisons.

42. Notwithstanding these challenges, some improvements have been effected in the past two years:

(a) The number of juveniles in correctional or remand facilities has been reduced by 42% from 446 in 2012 to 259 presently. In addition, female juveniles have been moved from three facilities (two of which were also adult facilities) into one;

(b) The number of persons in police custody decreased by 25% in 2014, resulting in a system-wide 50% reduction in overcapacity;

(c) Police fatal shootings are down by 45% – year to date, and all JCF recruits now receive human rights training;

(d) The number of adults in correctional or remand facilities has been reduced;

(e) A re-classification exercise is underway to transfer inmates from maximum to medium security facilities;

(f) Plans are being made to construct a two-storey block at Tamarind Farm Adult Correctional Centre to house 304 low- and medium-risk inmates;

(g) A new 5,000-bed Correctional Facility will be constructed to house male and female inmates from the Fort Augusta, Tower Street and St. Catherine facilities.

43 Under the current system, most accused (charged) persons are held in police custody. The remainder are placed in the care of the Department of Correctional Services (DCS); at Horizon Remand Centre (adults), Metcalfe Street Secure Juvenile Centre (boys) and South Camp Correctional and Remand Centre (girls).

44. In police lock-ups, children are held in separate cells from adults. There are plans to construct stand-alone child-friendly holding cells in each Police Division. One such site has already been constructed in Bridgeport, St. Catherine. Three (3) additional sites have been identified for development in St. Ann, St. Elizabeth and St. James. An additional four (4) sites will be identified, once the aforementioned are complete. The removal of children from adult correctional centres is complete.

45. In 2013/14, Social Workers assigned to the Child Development Agency made 1,001 telephone contacts and visits to police stations island-wide to identify children in lock-ups and make necessary interventions. Some interventions involved the removal of children from lock-ups and making contact with family members. The team of Social Workers is also mandated to visit the sites where children are being held and to ascertain if their human rights are being upheld, and if not, to take action as necessary to restore such rights.

46. The CDA also undertakes a weekly review of the Detention and Courts Report which is received from the Police and carries out interventions to address issues, such as removal of children with apparent behaviour management problems, and children in remand in need of care and protection. As at 30th June, 2014, 921 children were released to the care of parents/guardians by the Courts on Supervision Orders, which have a life span of one to three years. These children are assigned and supervised by a CDA Social Worker.

47. Non-custodial sentences, e.g. Probation Orders, Suspended Sentence Orders and Community Service Orders are increasingly being used to stem over-crowding in prison and detention facilities. Approximately half of the total number of cases involving children is resolved via non-custodial sentences, resulting in a decline in the number of children in correctional facilities. Following a 2011 review of the parole system, it was decided to undertake a comprehensive review of the Parole Act and submit the recommendations to Cabinet for approval. Consultations are currently being held with stakeholders; it is anticipated that Cabinet will receive the submission during 2015.

Sexual exploitation and trafficking in persons (Recommendation 98.17)

48. Established in 2005, the Cabinet-appointed National Taskforce Against Trafficking in Persons (the Taskforce), continues to operate as an inter-ministerial group (with limited NGO membership), whose core emphasis is the prevention and suppression of trafficking in persons, investigation and prosecution of all individuals suspected of committing the offence, as well as the protection and provision of assistance to victims of trafficking. This is done by enhancing national capacity and developing Jamaica's legislative and institutional framework for the elimination of trafficking. The Taskforce holds quarterly meetings with civil society groups and NGOs that are not members of the Taskforce.

49. During 2012/13, 255 raids were conducted, six (6) cases detected and thirty-nine (39) victims rescued; three (3) TIP cases were suspected; seven (7) investigations launched and four (4) arrests made. The Government also heightened collaboration with the hotel and tourism industry and increased raids on high-profile hotels and nightclubs with reported reputation for facilitating commercial sex acts. The TIP Unit of the JCF reported that there were twenty seven (27) new investigations of TIP cases, twenty six (26) of which involved sex trafficking and one, forced labour. Several cases are before the Courts.

50. A victim shelter has been established and guidelines for the Operation of Care Shelters for the Victims of Human Trafficking were adopted in 2008. There is also a pool of approved places of accommodation for TIP victims in Jamaica.

51. Since 2012, the Taskforce has increased the number of initiatives it has implemented. Jamaica approved the National Plan of Action to Combat Trafficking in Persons 2012-2015 which adopted the guiding principles of the Global Plan of Action of the United Nations. The Taskforce Secretariat supports and monitors the implementation of the Action Plan, which includes the development of an Anti-Trafficking Policy; further strengthening of law enforcement capacity; increasing awareness among the Judiciary regarding the prosecution of human traffickers; the development of Standard Operating Procedures for detectives and prosecution personnel and increased public awareness.

52. Public education materials, including erected billboards, were also received from the US Army's Military Information Support Team (MIST) in 2013. In 2013 and 2014, the Taskforce conducted school tours, facilitated by UNICEF, on identifying and preventing trafficking in persons and assistance available to victims; and hosted public forums and an outside broadcast on a national radio station. The Taskforce provided the Ministry of Education with a Trafficking in Persons curriculum, designed for secondary school students, that promotes greater awareness of TIP as a global crime and helps students and teachers understand how they can assist in identifying and preventing human trafficking and help in reducing students' vulnerability to human trafficking. Advertisements, news releases, media interviews and news forums are regular tools used by the Taskforce in its public education campaign.

53. Jamaica has ratified the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (Palermo Protocol). In keeping with its international obligation, the Government enacted the Trafficking in Persons (Prevention, Suppression, and Punishment) Act, 2007. The legislative framework was strengthened through amendments (enacted in July 2013) to the Trafficking in Persons (Prevention, Suppression and Punishment) Act to allow for:

(a) Increased penalty from ten (10) to twenty (20) years, commensurate with the punishment for offences such as forcible sexual assault;

(b) Expanded definition of "exploitation" to include carnal abuse and rape; as well as to include circumstances where a person is kept in debt bondage;

(c) Restitution to be ordered by the Courts in proceedings where a person is convicted of trafficking in persons.

54. Consideration is also being given to establishing regulations to allow for the development of protocol/guidelines for the referral of TIP victims to protection and rehabilitation services as well as the safe and voluntary repatriation of TIP victims.

55. There has been increased sensitisation and training to maximise victim identification, assistance, treatment and protection of victims in order to create greater awareness and understanding of TIP-related matters. In 2013, fifty (50) persons from various Government agencies participated in a USA Department of Homeland Security

training course on TIP/Child Exploitation/Forced Child Labour, which focused on sharing best practices related to investigation, prosecution, and victim-identification and assistance. In 2014, eighty-eight (88) public servants, including judges, were trained in human trafficking. Additional training and sensitisations are planned for2015.

Human rights education/promotion (Recommendations 98.4, 98.5, 100.16)

56. At the primary and secondary levels, human rights education is infused in the national curricula (primarily Social Studies) as well as in the Health and Family Life Education Curricula. Supplemental materials are also produced and distributed to schools. Guidance Counsellors also make/facilitate presentations to schools, Parent/Teachers' Associations and community meetings. All levels of teacher-training include human rights education, and pedagogical materials in primary and secondary education conform to human rights principles. Specific topics covered include "the rights of the child", "employers' and employees' rights and responsibilities", "consumer protection", and "people's rights and responsibilities and consequences related to violations of such rights". The Jamaican media and civil society have also been instrumental in sensitising the public to the importance of respect for human rights.

57. All members of the JCF are trained upon entering the Force, in the fundamental rights and freedoms of individuals that are enshrined in the Constitution, most importantly the right to life. Training of JCF officials engenders fair and impartial treatment of all individuals, sensitivity to gender, sexual, and religious factors, with an awareness of cultural diversity and discrimination. JCF trainees are exposed to contemporary legislation and best practices that promote the fair and impartial treatment of all as espoused by the Charter of Fundamental Rights and Freedoms (2011). Relevant policy documents that form part of the JCF's training programmes include: Police Public Interaction Policy and Diversity Policy, 2010; Police Use of Force Policy & Judges' Rules; Charter of Fundamental Rights and Freedoms, 2011; Sexual Offences Act, 2009; and Domestic Violence Act, 1996.

58. JCF training also includes more than eight (8) hours of practicum in human rights and at least three full days of para-professional counselling training conducted by members of the Psychology Department of the Northern Caribbean University. This practical training has engendered a more positive perception of the Police by the public. In 2014, the JCF participated in a series of training and discussion fora conducted by the International Committee of the Red Cross.

59. The Right to Life is further highlighted and emphasised in the "Use of Force Policy" of the JCF, which follows the principles outlined by the relevant UN bodies. Human rights are covered in briefings and debriefings for all operations conducted by the Police, whose members are re-certified bi-annually in the use and care of service firearms, during which the principles of the "Use of Force" Policy are reiterated. In cases where a JCF member uses deadly force, an administrative review and a criminal investigation are conducted separately. The policeman/woman involved is removed from front-line and operational duties pending the outcome of the review/investigation. The administrative review determines if JCF policy was followed, and assesses the adequacy of training and supervision. Where breaches are detected, appropriate disciplinary action is taken, which may result in interdiction, suspension or expulsion.

60. Training opportunities are undertaken annually/systematically for police officers in the use, care, handling and maintenance of weapons and less lethal options; including constant emphasis on safe encounter training. In November 2014, 25 JCF trainers were

certified through participation in a US Government-sponsored "Train-the-Trainer Less Lethal Option" course. These trainers are currently delivering training in the use of less lethal options. The JCF acquired 3,500 state-of-the-art less lethal kits distribution to front-line officers on completion of training, and the goal is to eventually equip all front-line officers with these kits.

61. The JCF's team of trainers is highly qualified. Trainers are also drawn from other government agencies and NGOs, including: the Judiciary; Office of the Director of Public Prosecutions; The Centre for the Investigation of Sexual Offences Child Abuse (CISOCA); Northern Caribbean University (Psychology Department); University of the West Indies; Jamaicans for Justice.

62. Preparatory work is underway to introduce the wearing of body cameras by police officers on operations to ensure greater level of accountability and transparency in these operations.

63. The JCF's Diversity Policy, implemented in 25th August 2011, aims to eliminate all forms of discrimination and inequitable treatment toward members of the public, and guides members of the police force in their professional dealings with persons of particular groups, including lesbians, gays, bisexuals and transgender persons (LGBTs). The objectives of the Policy include:

- Fostering public confidence by demonstrating fairness, integrity, tolerance and understanding in dealing with all sections of the community;
- Demonstration of commitment, value and support to every individual by seeking to eliminate all forms of harassment and unfair bias;
- Providing the necessary support and referral to victims of crime and violence, regardless of the affiliation (individual or group) of the complainant;
- Elimination of fear of individuals from diverse groups of reporting crime and violence;
- Ensuring the provision of high quality, professional policing services to ALL members of the public.

64. There is also ongoing dialogue involving the Police and members of the LGBT community.

65. The Commonwealth Secretariat has been asked to facilitate human rights training for the Judiciary, Prosecutors, Clerks of Court and Ministry of Justice officials, in order to increase awareness of human rights obligations under various international agreements; explore best practices in the interpretation and use of international Conventions to address matters of human rights infringement; facilitate identification of breaches of human rights and build capacities for a rights-based approach in the development of legislation and policy.

National Human Rights Institution (NHRI)

66. The Government is actively pursuing the establishment of a National Human Rights Institution (NHRI), and is considering a hybrid model, having regard to current accountability and oversight mechanisms; resource levels/challenges; and the fact that Jamaica already has an effective, extensive network of institutions mandated to protect the rights of Jamaicans. Initial consultations were held between the Government and the Commonwealth Secretariat in 2014 and plans are in train to establish a NHRI by expanding

the role and functions of an existing entity. The Ministry of Justice began collaborating with the UNDP in January 2015 on the pre-establishment phase of the NHRI.

Crime and violence (Recommendations 98.32, 98.22)

67. In an effort to enhance the security of its citizens, the Government has implemented a series of measures aimed at reducing serious crimes. These include increasing Police recruitment; acquiring new vehicles and equipment; opening new police posts; and merging the Island Special Constabulary Force (ISCF) and the JCF, which resulted in more police personnel directly engaged in front-line duties. The JCF's Major Organised Crime and Anti-Corruption Taskforce and Anti-Corruption Branch were merged to enhance efficiency in crime fighting. These and other concerted efforts contributed to a 17% decline in serious and violent crimes in 2014, over 2013.

68. In terms of legislation, the anti-lottery scamming law was passed in 2014, and netted more than 600 arrests and several convictions. The Criminal Justice (Suppression of Criminal Organisations) Act (aka "Anti-Gang legislation"), which came into effect in April 2014, makes provisions for the disruption and suppression of all criminal organisations (gangs); targets leaders of criminal organisations and criminalises their conduct. Parliament also approved the Criminal Records (Rehabilitation of Offenders) (Amendment) Act 2014, which will reduce the period for which persons convicted of misdemeanours can have their convictions removed from the criminal records.

69. A data system to facilitate the operation of the Sex Offenders Registry was also completed in 2014. Under the Sexual Offences Act, persons convicted of certain specified offences including rape, abduction and the sale or trafficking of persons, must be included in the Sex Offenders Registry. The Department of Correctional Services will monitor the sex offenders.

70. The Government has also been focusing on community renewal. Under the *Unite for Change Initiative*, introduced in 2014, a series of interventions in violence-prone communities have been undertaken. These include football competitions, outdoor church services and increased community policing to engage residents in peaceful and recreational activities. *Unite for Change* adopts a three-pronged 'public health' approach to reverse the violence epidemic, i.e.:

(a) Interrupting transmission;

(b) Preventing future spread; and

(c) Changing group norms.

71. A 'Stay Alert' app allows persons to send photos and videos to the Police and alert them in times of crisis. *Unite for Change* has been credited with reducing murders and serious crimes so far in two communities in the island.

72. To enhance detection of crimes in public spaces, CCTV-surveillance will be expanded during the Financial Year 2015-2016. The necessary equipment has already been installed in four Parish capitals: Mandeville, May Pen, Montego Bay and Half-Way-Tree.

73. Under Phase III of the *Citizen Security and Justice Programme (CSJP)*, another peace-building initiative, the Government is seeking to provide job skills and entrepreneurship training for vulnerable groups, particularly at-risk youth and women. Citizens will also have better access to justice, through victim support services, dispute resolution, child diversion and public education on justice-related rights and services. The programme has already begun to bear fruit as violent crimes have been reduced by more than 25% in CSJP communities.

74. The Government has also been partnering with the Jamaica Umbrella of Group of Churches to reduce crime in communities, and has received support from bilateral partners such as the United States Agency for International Development (USAID).

2010 Operation in West Kingston (Recommendation 100.17, 99.25)

75. Following an investigation into the Tivoli incursion by the Office of the Public Defender, a report was submitted in April 2013, and tabled in Parliament on 1st May 2013. Among the recommendations was the establishment of a Commission of Enquiry into the activities, circumstances and other issues related to the Tivoli incursion. The Government accepted the recommendation of the Public Defender for the setting up of a Commission of Enquiry, and proceeded with public consultation in drafting the Terms of Reference (TOR) for the Commission.

76. The revised TOR was subsequently approved by Cabinet. The Governor General appointed three Commissioners with the required experience and skill in order to ensure a fair and impartial enquiry that will enjoy the confidence of the public. The Commissioners which were appointed are:

(a) Sir David Simmons, QC (Chairman) – Retired Chief Justice and Former Attorney General of Barbados;

(b) Hon. Mrs. Justice Hazel Harris - Retired Judge of the Court of Appeal of Jamaica; and

(c) Professor Anthony Harriott - Senior Lecturer in the Department of Government, University of the West Indies.

77. The Commission of Enquiry, which is currently underway, began its work in December 2014. It is anticipated that the work of the Commission will be concluded in 2015. The proceedings are broadcast on national television.

Protection of vulnerable groups (women, children and persons with disabilities) Recommendations 98.37, 99.13, 99.14)

Children

78. Jamaica made an extensive presentation to the Committee on the Rights of the Child (CRC) in January 2015 which provides pertinent details on efforts to protect children. ***A summary of this presentation is outlined in the Annex to this Report.***

Programme of Advancement through Health and Education (PATH)

79. The needs of the vulnerable remain a top priority for the Government of Jamaica. The Programme of Advancement through Health and Education (PATH), launched in 2002, provides a conditional cash transfer benefit to members of eligible households. The programme currently has approximately 372,000 registered beneficiaries receiving cash grants, which is paid on a bi-monthly basis. Seventy-three per cent of registered beneficiaries are children. Children on the programme attending government schools and some government-supported pre-primary to secondary schools are also provided for under

the Government's School Feeding Programme. Some PATH beneficiaries also access a transportation allowance and post-secondary grants.

80. In keeping with its overall objective of breaking the inter-generational cycle of poverty, PATH, operated by the Ministry of Labour and Social Security, has interventions in place which are geared towards improving the educational attainment of students. These include:

- Differentiated Payments (2008) – to improve the attendance level of students, especially boys, in secondary schools;
- Transitional Grants(2009) – to assist students to complete secondary school and to matriculate to accredited tertiary institutions;
- Tertiary Bursaries(2013) – for PATH students in 2nd to 4th year of University, awarded based on academic achievement;
- Transportation Allowance (2014) – to provide allowances to selected children to attend school on a regular basis, based on certain conditionalities;
- School Feeding – all PATH student beneficiaries receive free meals under the School Feeding Programme.

81. The Steps-to-Work Programme provides employment-related opportunities to working-age members of PATH households in an effort to build capacity and improve income. The Programme targets unemployed working age members of PATH eligible households (15 to 64 years), to provide the relevant support services such as Business Development Training and Support, Vocational Skills Training & Certification, Entrepreneurship Grant Initiatives, Job Readiness and On-the-Job Training. Approximately 8,000 persons have benefitted from this Programme.

82. In March 2014, Cabinet approved the Jamaica Social Protection Strategy (SPS). The SPS is directly linked to Vision 2030 - Jamaica's National Development Plan, and provides a framework for achieving its Outcome of *Effective Social Protection.* The Strategy provides a comprehensive and systematic framework for the delivery of social protection in Jamaica, embracing a life-cycle approach to social protection-related risks and vulnerabilities. For children, it seeks to *"promote optimal development of all children in all spheres necessary to ensure their well-being, and enhance the potential for their eventual productive engagement in the labour market."*

83. The Government is currently developing a new National Poverty Policy and Programme in keeping with *Vision 2030 – Jamaica's National Development Plan.* A Poverty Reduction Coordination Unit was established in the Planning Institute of Jamaica (PIOJ) to oversee this process.

Disabilities

84. The *Constitution of Jamaica* and the *Charter of Rights and Fundamental Freedoms Act* (2011), guarantees persons with disabilities, certain protections by the State.

85. The Disabilities Act 2014, approved by Parliament on 10th October 2014, seeks to promote, protect and facilitate the full and equal enjoyment of all fundamental rights and freedoms by persons with disabilities in education and training, employment, political office and public life, health care, housing and public transportation. It also promotes individual dignity and autonomy, including the freedom of choice and independence of persons with disabilities. Following the passage of the Disabilities Act, island-wide consultations were undertaken on the drafting of Codes of Practice and Regulations for members of the disabled community. The Codes of Practice set minimum standards

governing the treatment of persons with disabilities. The Regulations include fines to be charged for discrimination. A Working Group was established in 2014 by the Ministry of Labour and Social Security to determine the timetable for the establishment of a disability tribunal.

86. Other pre-existing measures in place to facilitate persons with disabilities include:

- Implementation of the National Policy for Persons with Disabilities (approved by Parliament in 1999);
- A Labour Policy whereby 5% of jobs in the public sector are reserved for the disabled, provided they possess the required qualifications;
- Empowerment Grants for disabled persons to undertake entrepreneurial activities in specified occupations and assistance with Adaptive Aids;
- Amendment to the Road Traffic Act to allow persons with physical disabilities to obtain drivers' licences;
- Development of an electronic database of disabled persons; and
- A National Disability Awards Programme which recognises efforts to remove barriers and create access for persons with disabilities.

87. Under the existing 2010 IDB Technical Cooperation Project ATN/JF-11988-JA, ***"Support to Improving the Lives of Persons with Disabilities"***, the Jamaica Council for Persons with Disabilities (JCPD) is also able to better identify and target the disabled for social benefits through the establishment of a database that profiles individuals with disabilities. This will also enhance the existing framework of the Government to formulate policies and programmes for them.

88. Through grant-funding from Japan, the Ministry of Labour and Social Security will purchase assistive aids and conduct training for students of the Abilities Foundation, which provides vocational training for persons with disabilities. Under the Social and Economic Inclusion Project for Persons with Disabilities, an initial 250 persons with disabilities, who are benefitting from PATH, will receive training and employment.

89. The Government's Early Stimulation Programme (ESP) currently serves 1,532 children from birth to eight years with various types of developmental disabilities. The ESP is concentrated in six (6) parishes, although children from across the island also benefit. The Ministry of Education provides a grant for children serviced by the ESP, which prepares children for basic and primary school in the regular educational system. Through the ESP, 252 children with developmental disabilities have been mainstreamed over a three-year period (2012-2014). The ESP also provides support to 70% of parents from a lower socio-economic background as well as PATH beneficiaries. Parents are also supported through parenting workshops and support groups, and some parents also receive special Rehabilitation grants through the Ministry of Labour and Social Security (MLSS).

90. In keeping with the Disabilities Act, new schools being built under the Education Sector Transformation Programme (ESTP) provide for access by students with disabilities. For students in older facilities, ramps are installed to facilitate easy movement. In-service workshops are also being conducted to help teachers to better understand the behaviour of disabled students and how they should be treated. A centre, recently opened in the parish of Portland, provides diagnostic, therapeutic and counselling services to children in that region. Plans are also underway to expand the programme to the western region of the island; this expansion will involve faith-based organisations and NGOs.

91. There is an existing network of approximately ten (10) grant-aided schools with 25 satellites (locations), which cater to children with special needs. Together, they serve more

than 6,000 children across the island. The following is a breakdown of special education institutions in Jamaica:

- 1 School for the Blind;
- 6 Schools for the Mentally Ill, with 21 satellites;
- 3 Schools for the Deaf with 4 satellites;
- 7 Government Units attached to host primary schools.

Private Institutions receiving Government Support

- 4 Private schools for the Deaf;
- 1 School for Children with Autism;
- School for Mixed Disabilities;
- 1 School for the Mentally Ill;
- 3 Schools for Children with Learning Disabilities.

92. While the Disability Act provides protection for these students, the inclusion of specific disability-friendly clauses to promote and protect the rights of these students is being contemplated in the revision of the Code of Regulations governing the education system. Other measures being put in place to ensure that all children with disabilities receive the best quality interventions and education possible, include the Draft Policy on Special Education, which is currently being reviewed, and the Child Find and Enrichment Initiatives, which are being implemented under the Education System Transformation Programme (ESTP). The Draft Policy on Special Education addresses a range of issues related to the protection of the rights and dignity of students with special needs as well as to the access, equity and quality in the provision and delivery of programmes and services. The Draft Policy is to be submitted to Cabinet for its approval before the end of 2015.

93. A Special Education Curriculum that has been developed to support the teaching/learning process is being piloted until May 2015. The document will be finalised and ready for full roll-out by September 2015.

Health (Recommendations 98.25, 98.26, 98.27, 98.31)

94. Jamaica is seeking to renew its emphasis on primary health care to reduce the burden on secondary health care facilities. The Government has established four (4) Centres of Excellence as part of this renewal, to provide diagnostic, prevention and treatment services, and improve health centres island-wide. With grant-funding from the IADB, the Ministry of Health is about to embark on a ten-year primary health care development plan.

95. Work has commenced on addressing the financing challenges facing the health sector. With the assistance of key development partners, focus is being directed to identifying additional sources of revenue, as well as undertaking a comprehensive assessment of the health financing system and its effectiveness in ensuring adequate financial protection of vulnerable groups.

96. Efforts are also being made to revise the Strategic Plan on Safe Motherhood Programme (2007–2011). The focus on policy development, quality of care, surveillance and health promotion/education will be retained. A grant-funding agreement has been concluded with the EU to improve maternal and child health across the country, including the establishment of high dependency units for maternity care at five regional hospitals.

This work entails, *inter alia*, the training of staff in specialist areas of child care (neonatology) and procurement of high dependency units.

97. Cabinet approved the **National Strategic and Action Plan for the Prevention and Control of Non-Communicable Diseases (NCDs) 2013 to 2018**, with special attention placed on enhancing cancer care. To this end, new technologies and public-private partnerships have been targeted as strategic interventions.

98. The Amendment to the Public Health (Tobacco Control) Regulations, approved by Parliament in 2014, seeks to address the significant impact of tobacco consumption on public health (it is estimated that about 30% of heart disease and 80% of all lung cancer cases in Jamaica are associated with cigarette-/tobacco-smoking.) The regulations include: the designation of smoke-free spaces; labelling of tobacco packages with graphic health warnings; banning of tobacco advertising, promotion and sponsorship; and penalties for breaches.

99. In 2014, Cabinet approved an Amendment to the Public Health Order to include Chikungunya as a Class 1 Notifiable disease in keeping with the recommendations of the Chikungunya Virus Plan for the Caribbean.

100. Jamaica is currently developing a National Integrated Strategic Plan for Sexual and Reproductive Health and HIV (NISP) 2014-2019, to ensure an integrated approach to Sexual and Reproductive Health (SRH) and HIV planning and programming over the next five years. The NISP 2014–2019 draws on the successes and lessons learnt from earlier plans and broadens and deepens national efforts to address key sexual and reproductive health concerns, including the prevention and alleviation of the impact of HIV, in a coordinated manner. The integration of elements of the National HIV/STI Programme (NHP) into the National Family Planning Board (NFPB) to form the Sexual Health Agency gives effect to one of the key strategies outlined in *Vision 2030 - Jamaica's National Development Plan*, i.e. to "expand and improve integration of family planning, maternal and child health, sexual and reproductive health and HIV into primary health care." The Plan also responds to the policy recommendations from international conferences including the International Conference on Population and Development (ICPD) Programme of Action (1994) and the Glion Call to Action on Family Planning and HIV/AIDS in Women and Children (2004).

101. In 2012, Parliament approved legislative changes to the Public Health Act and regulations; to ensure that isolation and restrictions on employment and access to facilities stipulated as part of the management and control of communicable diseases as set out in the Public Health regulations, will not apply to HIV and AIDS. The National HIV/AIDS Workplace Policy was developed by the Ministry of Labour and Social Security and adopted as a White Paper by the Jamaican Parliament in February 2013. The Policy provides guidelines for the public, private, formal and informal sectors, to develop and implement HIV/AIDS workplace policies and programmes to protect workers living with or affected by HIV and AIDS. Further, an Occupational Safety and Health Bill is currently before Parliament. When passed, it will provide legal protection and sanctions against discrimination for people living with HIV.

102. The 'innovative hospital project' refers to the *CAMP Bustamante Project*, which was piloted in Kingston and St. Andrew. The Project sought to reduce the waiting time for children suffering from various forms of abuse. There was success in reducing the response time compared to traditional services in the same area. As the services offered did not differ substantially from those already provided by the Child and Adolescent Mental Health/Child Guidance Services, the Government has directed its attention to strengthening the existing child/guidance services and integrating the emergency services, rather than duplicating these services. This has proven to be more cost-effective.

Sexual orientation (Recommendation 99.34)

103. The Government is committed to the equal and fair treatment of its citizens, and affirms that any individual whose rights are alleged to have been infringed has a right to seek redress. There is no legal discrimination against persons on the grounds of their sexual orientation. The Government of Jamaica is opposed to discrimination or violence against persons, whatever their sexual orientation.

104. In relation to discrimination on the basis of access to HIV/AIDS treatment, the Enabling Environment and Human Rights component of the National HIV/STI Programme seeks to strengthen the legislative, policy and advocacy environments of the national response through the development and/or amendment of laws and policies and supporting structures. The aim is to reduce the risk of HIV infections and to ensure that persons living with and affected by HIV can access treatment, care and support services without fear of stigma or discrimination. A Declaration of Commitment (signed on 29th April 2011 by the then Prime Minister, Honourable Bruce Golding and the then leader of the Opposition, the Most Honourable Portia Simpson Miller) gave impetus to the fight to eliminate stigma and discrimination and gender inequality affecting the HIV response in Jamaica.

105. The revised behaviour change communication (BCC) strategy of the Government also provides the framework for prevention interventions which focus on providing a comprehensive prevention package for vulnerable populations, including men who have sex with men.

Refugees (Recommendation 100.8, 100.20)

106. Jamaica's Policy on Refugees was approved in 2009, and is guided by the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees, to which Jamaica acceded in July 1964 and October 1980, respectively. The Policy establishes the procedures for managing the refugee status determination process, and to ensure that applicants have demonstrated a well-founded fear of persecution in their country of origin.

107. The institutional framework for dealing with refugees includes an Eligibility Committee and a Refugee Review Body. Currently, refugee applications are considered by the Eligibility Committee comprising representatives of the Ministries of Foreign Affairs and Foreign Trade, Justice and National Security. There is also a Tribunal which considers cases of appeal.

108. The operational aspect of the Policy which is being drafted, will include, *inter alia*;

- Access to State-run welfare programmes to persons who are granted asylum in Jamaica;
- Time-frame governing the stages from application to granting of asylum;
- Authorisation of the issuance of drafting instructions to the Office of the Parliamentary Counsel for the necessary legislation.

109. Jamaica's draft National Policy and Plan of Action on International Migration and Development states: "Social protection measures are important to all citizens, including migrants, since they seek to ensure the mitigation of social and economic risks. Such risks include unemployment, sickness, disability and old age. Measures range from social services, such as health and education systems, monetary social welfare programmes (i.e. vouchers and subsidies), to income and discretionary social security benefits (social outreach and counselling, and social insurance). Through these measures, migrants and

their dependents become empowered to meet their basic needs throughout their working lives and beyond."

Climate change (Recommendations 98.33, 98.34)

110. In Jamaica's policy statements at the 2014 UNGA Climate Change Summit, the UNFCCC COP 20 and other fora, Jamaica has continued to advocate for actions to keep global warming at or below 1.5 degrees Celsius above pre-industrial levels, a position which has long been articulated by SIDS. To this end, we have urged all Parties to make every effort to make ambitious commitments that cumulatively will enable us to achieve this goal. We have continued to argue at the bilateral level and in multilateral fora, that it is incumbent on developed countries to take the lead in addressing climate change by raising the ambition of their 2020 commitments, and with regard to the Kyoto Protocol Parties, ratifying the Kyoto Protocol.

111. Jamaica has also appealed to International Financial Institutions to review their policies and explore ways of allowing small, heavily-indebted middle-income countries (HIMICs) to access loans under sustainable and favourable conditions, given the serious impact of climate change on this group of countries. In recognition of the adverse impacts of climate change, particularly on SIDS, and the need for international cooperation to properly address the issue, Jamaica has put forward the position that financing should be inclusive for all developing countries, with special consideration of a special window for SIDS and LDCs which are the most vulnerable.

National efforts

112. As part of the Government's overall efforts and political commitment to combat climate change, a Ministry of Water, Land, Environment and **Climate Change** was established in September 2012. A Climate Change Division, created within that Ministry in 2013, was tasked, *inter alia,* with mainstreaming climate change in policies, programmes and projects. A Climate Change Policy Framework and Action Plan was tabled in 2014, which seeks to ensure that Jamaica achieves its goals of growth and prosperity for its people, enhanced resilience and capacity to adapt to the impacts and to mitigate the causes in a coordinated, effective and sustainable manner. A Climate Change Advisory Committee has been established and climate change adaptation and mitigation mechanisms have also been incorporated into the national development plan, growth inducement strategy and other programmes. As such, climate change is a priority thematic area in the budget. Fifteen million Jamaican Dollars have been allocated in the national budget to the Climate Resilience II Adaptation Programme and Financing Mechanism aimed at mainstreaming climate change into development planning.

113. Jamaica has two projects under the Clean Development Mechanism (CDM) of the United Nations Framework Convention on Climate Change (UNFCCC); and has several national projects and initiatives on climate change adaptation. Despite its minuscule carbon footprint, Jamaica is working on its intended nationally determined contributions (INDCs) for mitigation actions to reduce our modest levels of GHG emissions in keeping with our development goals. A National Energy Policy 2009-2030 has been developed and is being implemented. We are also pursuing increased energy efficiency through increased use of renewable energy. The portion of renewable energy in the national energy mix has increased to 8%, with plans underway to increase this to 20 per cent by 2030, with 78 megawatts of new supply to be added by 2015.

114. Public education campaigns are being implemented, with support from the EU and the Climate Investment Fund, to raise awareness of the general public, in particular vulnerable groups, of the impacts of climate change.

Socio-economic development (Recommendations 99.35, 98.29, 98.30, 98.28)

Socio-economic development

115. In order to address the obstacles and challenges that affect the society, Jamaica is focusing on and seeking global support for building resilience, eradicating poverty, achieving sustainable development, and ensuring that the Post-2015 Development Agenda recognises that Small Island Developing States (SIDS), including Jamaica, must be given special and differential treatment to achieve their development goals. The sustainable development agenda is of critical importance to Jamaica, as the country faces several economic and social development challenges that heavily impede its progress with respect to sustainable development. Challenges include disaster risk and vulnerability; high debt-to-GDP ratio; declining human capital; the unavailability of suitable data to inform good governance; and exposure to external shocks. In addition, climate change and energy insecurity pose serious challenges to the achievement of national development goals.

116. At the international level, Jamaica continues to emphasise the importance of special consideration to be given to small and vulnerable countries, so as to ensure that approaches to disaster response, recovery, rehabilitation and resilience accurately reflect the unique conditions of this special group of countries. In this context, calls have been made for greater financial resources, transfer of technology, building of capacity through Official Development Assistance (ODA) and other forms of cooperation and partnerships. Jamaica will continue to advocate for the elaboration of a development agenda that embraces the wide range of needs and specific circumstances of Middle Income Countries (MICs), and allows countries to evaluate their own development needs, and outline a programme in line with their own national growth and development agenda.

117. With a view to reducing poverty, Jamaica will continue to advocate for support in the form of financing, technology transfer, acceptable terms of trade to assist in development, debt-sustainability, capacity-building including in the area of data and statistics, and partnerships aimed at assisting in building resilience to the range of exogenous economic and environmental factors that exacerbate inherent vulnerabilities. Jamaica will also seek support through triangular, South-South and SIDS-SIDS cooperation as a useful means of addressing its several challenges.

MDGs

118. At the national level, lessons have been learnt from the implementation of various policies, programmes and plans developed by Jamaica to achieve the Millennium Development Goals (MDGs), which must be considered in the identification and formulation of priorities for the post-2015 development agenda. The main lessons are:

(a) MDGs are universal/global goals which need to be localised (goals/targets/indicators) in order to be meaningful. Goals, targets and indicators must relate to local (country/community) circumstances in order to be meaningful;

(b) The goals and targets need to promote the field of development statistics (economic, social and environmental) and enhance the data collection capacity of countries;

(c) Public-private partnerships and broad participation (consultations) would assist in goal achievement;

(d) The need to identify projects/programmes with the greatest impact on goals. Sequencing of goals was needed as well as identification of best practice with respect to goals;

(e) Strong partnership between the international statistical systems and countries to develop statistics for MDG indicators.

119. In recognising that some of the specific goals and targets were not relevant to Jamaica based on its level of development, the MDG framework was adapted and goals and targets developed which were more in keeping with Jamaica's own national development agenda, in conjunction with other countries in the Caribbean. The main area of adaptation concerned extreme poverty and hunger. Jamaica uses an absolute measure of poverty, not the US$1.25 per day used in MDG 1. Thus, Jamaica's poverty reduction target was to halve the proportion of persons living below the poverty line, as well as those suffering from hunger, by 2015. Indicators of inequality (percentage of national consumption by the poorest and wealthiest quintiles), hunger (percentage of population consuming below the minimum dietary requirement) and deprivation (prevalence of underweight children under 5 years old) are also used to monitor movement towards this goal.

120. Of particular importance to Jamaica is the importance of maintaining coherence among the relevant global processes and agendas to ensure effective and continued attention at the international level to disaster risk reduction.

Cooperation in education

121. Jamaica has partnered with a number of international educational organisations to provide training and capacity-building. Under the '*Tackling Child Labour Through Education*' Project, the Ministry of Education, in collaboration with other Government agencies and civil society, has partnered with the International Labour Organisation, to develop programmes to be infused into the curricula which are aimed at eliminating incidents of child labour.

122. "*The School Feeding: Development of Sustainable Programme, taking the Brazilian Experience as Reference*" is an online and face-to-face training provided by the Latin American and Caribbean Offices of the Food and Agricultural Organisation in collaboration with a number of other organisations, the Ministry of Education and other Ministries, Departments and Agencies (MDAs). They were trained in coordinating and developing an effective school-feeding programme. This Programme also supports the Right to Food as well as the Universal Declaration on the Eradication of Hunger and Malnutrition.

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Jamaica

The present report is a compilation of the information contained in reports of the treaty bodies and special procedures — including observations and comments by the State concerned —, in reports of the United Nations High Commissioner for Human Rights, and in other relevant official United Nations documents. It is presented in a summarized manner owing to word-limit constraints. For the full texts, please refer to the documents referenced. The report does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review, and developments during that period.

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I. Background and framework

A. Scope of international obligations[1]

International human rights treaties[2]

	Status during previous cycle	*Action after review*	*Not ratified/not accepted*
Ratification, accession or succession	ICERD (1971)	OP-CRC-SC (2011)	ICCPR-OP 2
	ICESCR (1975)		CAT
	ICCPR (1975)		OP-CAT
	CEDAW (1984)		ICPPED
	CRC (1991)		
	OP-CRC-AC (2002)		
	ICRMW (2008)		
	CRPD (2007)		
Reservations and/or declarations	ICERD (general declaration, 1971)		
	CEDAW (reservation: art. 29, para. 1, 1984)		
	OP-CRC-AC (general declaration: art. 3, para. 2, age of recruitment at 18 years, 2002)		
Complaints procedures, inquiries and urgent action[3]	CRPD-OP (signature, 2007)		ICERD, art. 14
			OP-ICESCR
			ICCPR, art. 41
			ICCPR-OP 1[4]
			OP-CEDAW
			CAT
			OP-CRC-IC
			ICRMW, arts. 76 and 77
			OP-CRPD (signature, 2007)
			ICPPED

Other main relevant international instruments

	Status during previous cycle	*Action after review*	*Not ratified*
Ratification, accession or succession	Convention on the Prevention and Punishment of the Crime of Genocide Palermo Protocol[5] 1951 Convention relating to the Status of Refugees and its 1967 Protocol, Geneva Conventions of 12 August 1949 and Additional Protocols I and II[6] ILO fundamental conventions[7] UNESCO Convention against Discrimination in Education	1961 Convention on the Reduction of Statelessness	Rome Statute of the International Criminal Court ILO Conventions Nos. 169 and 189[8] Additional Protocol III to the 1949 Geneva Conventions[9] 1954 Convention relating to the Status of Stateless Persons

1. In 2013, the Committee on Economic, Social and Cultural Rights (CESCR) encouraged Jamaica to sign and ratify OP-ICESCR.[10]

2. In 2012, the Committee on the Elimination of Discrimination against Women (CEDAW) encouraged Jamaica to ratify CAT, ICPPED[11] and OP-CEDAW[12] and recommended that Jamaica ratify OP-CRPD.[13]

3. In 2011, the Human Rights Committee (HR Committee) recommended that Jamaica reconsider its decision not to re-accede to ICCPR-OP 1, and that it accede to ICCPR-OP 2.[14]

4. In 2013, the Committee on the Elimination of Racial Discrimination (CERD) and CEDAW encouraged Jamaica to ratify International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169 and Domestic Workers Convention, 2011 (No. 189).[15]

5. CEDAW recommended that Jamaica accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.[16] CERD recommended that Jamaica re-examine its reservation to ICERD, and consider withdrawing it.[17]

6. The Committee on the Rights of the Child (CRC) recommended that Jamaica ratify, inter alia, CAT, ICPPED and OP-CRC-IC.[18]

B. Constitutional and legislative framework

7. CEDAW welcomed the adoption of legislative measures aimed at eliminating discrimination against women, including the Charter of Fundamental Rights and Freedoms (Constitutional Amendment Act) (2011), which provided for the right to non-discrimination, the Sexual Offences Act (2011), and the Child Pornography Prevention Act (2010), which is aimed at promoting gender equality and eliminating violence against women and girls.[19]

8. While noting the adoption of the Charter of Fundamental Rights and Freedoms, CESCR was concerned at the narrow scope of prohibited grounds for discrimination. It

called upon Jamaica to amend its laws and to adopt a comprehensive anti-discrimination framework law.[20] The United Nations country team (UNCT) stated that the definition of discrimination should encompass both direct and indirect discrimination, and discrimination in all areas of life, including the public and private spheres and by both public and private actors.[21]

9. HR Committee recommended that Jamaica take appropriate measures to ensure that the provisions of the Covenant (ICCPR) were taken into account before domestic courts.[22] CESCR recommended that Jamaica take all appropriate steps to ensure that all provisions of the Covenant (ICESCR) were given full effect in the domestic legal order and could be invoked before courts.[23]

C. Institutional and human rights infrastructure and policy measures

Status of national human rights institutions[24]

10. The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (SR on Torture) called upon the Government to establish an effective independent national human rights institution, and provide it with adequate financial and human resources.[25] HR Committee, CERD, CEDAW and CESCR made similar recommendations.[26]

11. UNCT noted that Jamaica had accepted recommendation 98.3, made during the first universal periodic review (UPR), to continue harmonizing its domestic legislation with its international human rights obligations,[27] and stated that although arrangements existed in the Ministry of Foreign Affairs and Foreign Trade and the Ministry of Justice, there was no permanent institutionalized system in place to coordinate Government engagement with the international and regional mechanisms for implementing recommendations and ensure reporting. UNCT recommended that the Government institutionalize a permanent coordination structure to monitor and report on the implementation of Jamaica's obligations vis-à-vis human rights instruments and mechanisms, both international and regional, and on the recommendations by those mechanisms.[28]

12. Referring to the recommendations regarding education from Jamaica's first UPR, United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended that Jamaica be encouraged to further promote gender equality and human rights education.[29]

13. CRC expressed concern that there was no single identifiable governmental body with a clear mandate, the necessary authority and resources to effectively carry out the role as the monitoring and evaluation mechanism with respect to all laws, policies and programmes relating to the rights of the child. It recommended that Jamaica establish such a body.[30] It also recommended that Jamaica ensure the independence of the Office of the Children's Advocate so as to ensure full compliance with the Paris Principles and, to that effect, to seek technical cooperation from, among others, the Office of the United Nations High Commissioner for Human Rights (OHCHR), United Nations Children's Fund (UNICEF) and United Nations Development Programme (UNDP).[31]

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies[32]

1. Reporting status

Treaty body	*Concluding observations included in previous review*	*Latest report submitted since previous review*	*Latest concluding observations*	*Reporting status*
CERD	March 2002	2012	August 2013	Twenty-first to twenty-third reports due in 2016
CESCR	November 2001	2010	May 2013	Fifth report due in 2018
HR Committee	October 1997	2009	November 2011	Fourth report overdue since 2014
CEDAW	August 2006	2010	July 2012	Eighth report due in 2016
CRC	June 2003	2011	January 2015	Fifth to seventh reports due in 2021; initial OP-CRC-AC report overdue since 2004; initial OP-CRC-SC report overdue since 2013
CMW	-	-	-	Initial report overdue since 2010
CRPD	-	-	-	Initial report overdue since 2010

14. CRC urged Jamaica to fulfil its reporting obligations under OP-CRC-AC and OP-CRC-SC.[33]

2. Responses to specific follow-up requests by treaty bodies

Concluding observations

Treaty body	*Due in*	*Subject matter*	*Submitted in*
CERD	2014	Broad reservation to the Convention; independent national human rights institution; asylum seekers and refugees[34]	-
HR Committee	2012	Discrimination on the basis of sex, sexual orientation and gender identity; extrajudicial killings; detention conditions[35]	2012;[36] additional information requested[37]
CEDAW	2014	Violence against women; marriage and family relations[38]	Reminder sent[39]

B. Cooperation with special procedures[40]

	Status during previous cycle	*Current status*
Standing invitation	No	No
Visits undertaken	Torture	-

	Status during previous cycle	*Current status*
Visits agreed to in principle	-	-
Visits requested	-	Foreign debt Cultural rights Trafficking Human rights defenders Water and sanitation
Responses to letters of allegation and urgent appeals	During the period under review, one communication was sent to the Government, which replied to the communication.	
Follow-up report	Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment [41]	

15. UNCT recommended that the Government consider welcoming more visits by international and regional special procedure mandate holders.[42]

C. Cooperation with the Office of the United Nations High Commissioner for Human Rights

16. OHCHR provided technical cooperation and capacity-building support to UNCT and national stakeholders, in particular government counterparts, in the review of the status of the national implementation of the recommendations of the UPR and of international human rights mechanisms. A human rights adviser to UNCT was deployed to Jamaica in June 2014 under the United Nations Development Group Human Rights Mainstreaming Mechanism. The main thematic priorities and areas of work included strengthening the effectiveness of international human rights mechanisms, integrating human rights in development, enhancing equality, widening the democratic space and early warning and protection of human rights in situations of conflict, violence and insecurity with a focus on sexual and gender-based violence.[43]

III. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Equality and non-discrimination

17. CEDAW was concerned about the persistence of cultural norms and traditional practices regarding the roles and identities of women and men in the family and in society. CEDAW called on Jamaica to take measures to address and eliminate the negative stereotypes and adverse traditional beliefs and practices that discriminated against women.[44]

18. CEDAW recommended that Jamaica amend the legal provisions and administrative forms that discriminated against women in relation to family life; strengthen protection and support for women in common-law unions; and strengthen efforts to eliminate stereotypical attitudes regarding the roles of women and men in the family through awareness-raising campaigns. CEDAW further recommended that the provision of parental education be

strengthened, with the aim of promoting the shared responsibility of both parents in relation to the care and maintenance of the child.[45]

19. While noting that gender mainstreaming had been advancing through the approval of the national policy for gender equality in 2011 and that gender focal points had been designated in key Government ministries, CEDAW was concerned about the limited financial and human resources allocated to the Bureau of Women's Affairs, the national machinery for the advancement of women in Jamaica. The Committee recommended that Jamaica strengthen the capacity of the Bureau of Women's Affairs to coordinate and oversee the preparation and implementation of legislation, policies and programmes in the field of gender equality.[46] CESCR made similar recommendations.[47]

20. HR Committee regretted that the right to freedom from discrimination had failed to prohibit discrimination on grounds of sexual orientation and gender identity and recommended that Jamaica should amend its laws with a view to prohibiting discrimination on the basis of sex, sexual orientation and gender identity. It also recommended that Jamaica should decriminalize sexual relations between consenting adults of the same sex, and put an end to prejudices and social stigmatization of homosexuality.[48] UNCT affirmed that criminalization of private, consensual same-sex sexual acts perpetuated homophobia and made HIV-prevention messaging difficult.[49]

21. UNCT recommended that Jamaica to amend the Sexual Offenses Act to redefine rape and remove conditionality for marital rape; pass the Occupational Health and Safety Act to prevent discrimination against HIV-positive persons in the workplace; align its norms with related ILO recommendations and develop data-protection legislation in the context of the Sexual Offenses Act and HIV.[50]

22. While taking note of the ethnically diverse population of Jamaica, CERD regretted the absence of information from Jamaica on the socioeconomic situation of the different groups.[51]

23. CERD noted the absence of court cases on indirect or direct discrimination based on race, colour descent, national or ethnic origin. CERD encouraged Jamaica to ensure that the lack of court cases on racial discrimination was not due to victims' lack of awareness of rights, individuals' lack of confidence in police and judicial authorities, or the authorities' lack of attention or sensitivity to cases of racial discrimination.[52]

B. Right to life, liberty and security of the person

24. While noting that Jamaica had made progress in lifting the mandatory death sentence for certain crimes in 2005 and that the State had not carried out judicial executions since 1988, the HR Committee was concerned that Jamaica did not intend to abolish the death penalty.[53] The SR on Torture stated in 2012 that, under the conditions of its imposition and execution in Jamaica, the practice of capital punishment constituted cruel, inhuman or degrading treatment or, in some cases, torture.[54] The HR Committee encouraged the State to abolish the death penalty.[55]

25. HR Committee was concerned at reports of excessive use of force by law enforcement personnel, and referred particularly to the state of emergency between May and July 2010 when 73 civilians were killed by law enforcement personnel. It recommended that Jamaica closely monitor allegations of extrajudicial killings and ensure that all such allegations were investigated in a prompt and effective manner with a view to eradicating such crimes.[56]

26. UNCT recommended that the Government empower the Commission of Enquiry appointed to investigate the May-July 2010 case to receive the cooperation of public

authorities; carry out on-site visits; subpoena, search and seize; and offer witness protection. It also recommended that the Government provide the Commission with records pertinent to its investigations, including classified or restricted documents, and make its procedures and powers transparent.[57]

27. HR Committee expressed its concern at threats and violent assaults and killings against human rights defenders and urged Jamaica to protect human rights defenders whose lives and security were under threat due to their professional activities. HR Committee recommended that Jamaica ensure the prompt, effective, thorough, independent and impartial investigation of such acts, prosecute the perpetrators, and provide compensation to the victims or members of their families.[58]

28. The SR on Torture expressed concern about the reported cases of torture and ill-treatment by law enforcement bodies, including the reported de facto extrajudicial killings by police, and the lack of prompt and thorough investigations into allegations of ill-treatment or excessive use of force by police and the number of convictions made.[59] HR Committee was concerned about the continued occurrence of torture and ill-treatment by law enforcement authorities and the limited number of convictions of those responsible.[60]

29. The SR on Torture noted that torture was prohibited under the Charter of Fundamental Rights and Freedoms. However he remained concerned that there was no definition of torture as a separate offence in the criminal law.[61]

30. The SR on Torture called upon the authorities to ensure prompt and thorough ex officio investigations for all allegations of ill-treatment or excessive use of force by police by clarifying the mandates of the Independent Commission of Investigations (INDECOM) and the Office of the Director of Public Prosecutions with respect to the conduct of investigations and prosecutions.[62] HR Committee also recommended that Jamaica guarantee that perpetrators of such acts were prosecuted and punished and that victims received adequate reparations.[63]

31. The SR on Torture urged the Government to reduce, as a matter of priority, the period of police custody to a maximum of 48 hours and to ensure that access to lawyers of the suspect's own choosing was granted from the very moment of apprehension.[64]

32. UNCT stated that gender-based violence was widespread and recommended that Jamaica adopt and resource the draft National Strategic Action Plan on the Elimination of Gender-Based Violence.[65] CEDAW was concerned that the incidence of domestic violence remained high. It recommended that Jamaica encourage the reporting of domestic and sexual violence against women and girls; ensure that all such acts were investigated, victims and witnesses were protected and perpetrators prosecuted and sentenced within a reasonable time frame; strengthen victim assistance; provide comprehensive training for relevant professionals on the application of protection orders under the Domestic Violence Act; approve the draft sexual harassment policy; and urgently adopt comprehensive legislation to combat sexual harassment.[66] HR Committee and CESCR made similar recommendations.[67]

33. CEDAW was concerned that the Sexual Offences Act 2009 protected against marital rape only in certain circumstances and that rape within marriage was not always criminalized. It urged Jamaica to ensure strict enforcement of the Domestic Violence Act, the Sexual Offences Act and all other legislation intended to protect women from violence, and to amend the Sexual Offences Act with a view to criminalizing all marital rape, with no restrictive conditions.[68]

34. CESCR remained concerned at the continuing use of child labour. It urged Jamaica to, inter alia, prosecute and effectively sanction perpetrators of child labour.[69] CESCR also recommended that Jamaica adopt the Occupational Health and Safety Bill containing the

list of prohibited types of hazardous employment or work for persons below the age of 18 without further delay and ensure that the Child Labour Unit of the Ministry of Labour and Social Security was provided with sufficient resources to effectively enforce the Child Care and Protection Act.[70]

35. CESCR was deeply concerned at high levels of violence, use of corporal punishment in the home and in schools, abuse, neglect and sexual exploitation of children, as well as child victims' lack of access to psychosocial support. It was also deeply concerned at reports of sexual, physical and mental abuse of children at the hands of caregivers in children's homes and places of safety supervised by the Child Development Agency. CESCR strongly urged Jamaica to eradicate all forms of violence against children.[71] In 2015, CRC expressed concern about the high rate of crime and violence, including the number of murdered children, and gang violence in poor inner-city communities and urged Jamaica to adopt and implement a national strategy to address key issues and challenges pertaining to children as victims, perpetrators and witnesses of acts of violence and abuse.[72]

36. CRC recommended that Jamaica, inter alia, amend its legislation to explicitly prohibit corporal punishment in all settings, including the family, schools and institutions, and explicitly repeal the common law right to inflict "reasonable and moderate" punishment.[73] It also recommended that Jamaica establish an easily accessible mechanism for children and others to report cases of abuse and neglect and to ensure that acts of sexual abuse and exploitation were effectively investigated and that the perpetrators were brought to justice.[74]

37. HR Committee was concerned at the prevalence of trafficking in persons for sexual exploitation and forced labour and particularly at the low level of investigations, prosecutions and convictions in that area, and at the lack of prevention and protection mechanisms for victims, including rehabilitation schemes. It recommended that Jamaica identify victims of trafficking; train its police officers, border personnel, judges, lawyers and other relevant personnel; ensure that all perpetrators of trafficking in persons were investigated and prosecuted; and provide adequate protection, reparation and compensation and rehabilitation to the victims.[75] CESCR and CEDAW made similar recommendations.[76] CRC also recommended that Jamaica review its current legislation and policies on adoption with a view to ensuring that the best interests of the child were of primary consideration.[77]

38. CRC recommended that Jamaica take measures to prevent children from being economically exploited by adopting legislation and policies to address child labour in both the formal and informal sectors.[78]

C. Administration of justice, including impunity, and the rule of law

39. HR Committee remained concerned at the delays in the dispensation of justice. It recommended that Jamaica urgently reform the justice sector by implementing the Jamaican Justice Reform recommendations to ensure speedy and fair trials. HR Committee also recommended that Jamaica enhance the availability of lawyers that provided legal services on a pro bono basis.[79] UNCT stated that, although progress had been made in the implementation of the recommendations of the Task Force report, including the establishment of the Justice Reform Implementation Unit, justice reform measures so far had been fragmentary and in order for reforms to be truly effective, the entire system needed to be assessed and a cohesive and a broad-ranging strategy to modernize the justice system needed to be developed.[80]

40. HR Committee was concerned at reports that the Office of the Director of Public Prosecutions (ODPP) was inefficient, as it had failed to expedite the initiation and

prosecution of criminal proceedings. It recommended that Jamaica ensure that the ODPP efficiently discharged its prosecutorial functions.[81]

41. HR Committee recommended that Jamaica clarify the mandates of INDECOM and ODPP with regard to powers to prosecute law enforcement personnel under INDECOM investigation to ensure that there was no conflict of mandates.[82] It recommended that Jamaica ensure that INDECOM was adequately resourced to be able to carry out independent and effective investigations into alleged cases of extrajudicial killings and assaults by law enforcement personnel.[83]

42. CEDAW was concerned about the absence of a complaints mechanism for women to report cases of discrimination in Jamaica and recommended that the State establish such a mechanism and ensure that women have effective access to justice in all parts of the country.[84] UNCT recommended that the Government, inter alia, ensure that women and girls have effective access to justice, including through the provision of legal aid.[85]

43. The HR Committee was particularly concerned at reports of overcrowding and deplorable sanitary conditions in prisons and places of detention in Jamaica and at the limited application of alternatives to imprisonment. It recommended that Jamaica, inter alia, put in place a system to segregate accused persons from convicted persons and minors from other prisoners, take steps to ensure that the Standard Minimum Rules for the Treatment of Prisoners were respected and consider the wider application of alternative non-custodial sentences.[86] UNCT stated that, during 2012 and 2013, the Government had addressed the inappropriate treatment of children who had come into contact with the law, including their placement in adult prisons and police lockups in excess of 48 hours.[87]

44. CRC recommended that Jamaica strengthen its efforts to ensure that the right of the child to have his or her best interests taken as a primary consideration was appropriately integrated and consistently applied in all legislation, administrative and judicial proceedings and decisions.[88] CRC also recommended that Jamaica promote restorative justice and alternative measures to detention for boys and girls in conflict with the law.[89]

D. Right to privacy, marriage and family life

45. CESCR expressed concern at the low minimum age for marriage, which was set at 16 years of age, and called upon Jamaica to amend its legislation and raise it to 18 years to protect children from early and forced marriage.[90]

46. CEDAW was concerned about the complicated proceedings for divorce, which required that the parties be married for a minimum of two years and de facto separated for one year; also, it was the courts rather than the parties which decided whether to grant a divorce. CEDAW recommended that Jamaica review the legislation and proceedings regarding divorce with a view to simplifying the process and ensuring that women were not placed in disadvantaged or harmful positions due to restrictive legal proceedings.[91]

47. CRC recommended that Jamaica strengthen efforts to ensure that all children were provided with birth certificates free of charge, including through mobile units and outreach programmes.[92]

E. Freedom of expression and right to participate in public and political life

48. While welcoming the appointment of several women in leadership positions in Government, CEDAW was concerned that the levels of elected women have increased marginally in recent years and recommended that Jamaica encourage political parties to

nominate more women as candidates and create an enabling environment for the political participation of women.[93] UNCT recommended that the Government adopt quotas and temporary special measures towards achieving substantive equality between women and men.[94]

F. Right to work and to just and favourable conditions of work

49. CESCR was concerned at the high rates of occupational deaths and accidents in Jamaica, and at the failure of employers, particularly small and medium-sized enterprises, to uphold laws relating to vacation and maternity leave entitlement, and safe and healthy working conditions. It called upon Jamaica to ensure safe, just and healthy conditions of work.[95]

50. While recognizing the Employment (Equal Pay for Men and Women) Act, CEDAW was concerned that women earned less than their male counterparts for comparable work. It recommended that Jamaica eliminate occupational segregation and achieve substantive equality between men and women in the labour market.[96] The ILO Committee of Experts on the Application of Conventions and Recommendations urged the Government to revise section 2 of the Employment (Equal Pay for Men and Women) Act in order to incorporate in the legislation the concept of "work of equal value" and give full expression to the principle of equal remuneration for men and women for work of equal value.[97]

51. CESCR expressed concern at discrimination against and harassment of women in the workplace. It urged Jamaica to adopt and enforce comprehensive legislation prohibiting gender discrimination and sexual harassment in the workplace with effective remedies for victims and to adopt the draft sexual harassment policy without further delay.[98]

52. CESCR expressed concern that youth unemployment was three times higher than that of adults and recommended that Jamaica adopt long-term policies and strategies to address the root causes of youth unemployment, and to adopt employment strategies and policies aimed specifically at women.[99] CEDAW raised similar concerns with regard to rural women and women who suffer multiple forms of discrimination owing to old age and disabilities.[100]

53. The ILO Committee of Experts requested the Government to ensure the adoption of the provisions of the draft Occupational Safety and Health Act which would enable labour inspectors to enforce appropriate sanctions. It also requested that the Government strengthen the capacity and expand the reach of the labour inspectorate, including the allocation of additional resources, in preparation for the labour inspectorate's expanded role in monitoring the informal economy.[101]

54. CESCR expressed concern at the high percentage of workers' votes required to exercise the right to collective bargaining; the lack of trade unions in export processing zones; and the alleged practice by companies in those zones of threatening workers and creating pro-employer councils to interfere with the handling of complaints. It recommended that Jamaica amend the Labour Relations and Industrial Disputes Act and its regulations in order to lower the current requirement of at least 40 per cent of workers' votes in a unit or 50 per cent of total votes to exercise the right to collective bargaining and to take effective measures against companies that prevented the right of all workers to form and join trade unions.[102]

G. Right to social security and to an adequate standard of living

55. CESCR expressed deep concern at the high ratio of debt to gross domestic product as well as the persistence of high rates of poverty, income disparity and unemployment.[103] CRC recommended that Jamaica intensify its efforts to address the high level of child poverty and partner with UNICEF and others to promote a strategy to guarantee a minimum level of access to basic services and financial security to children.[104]

56. While noting Jamaica's efforts to ensure the long-term viability and sustainability of its social security programme, including through the implementation of Vision 2030 Jamaica, CESCR reiterated its concern that the social security scheme did not provide for universal coverage. It reiterated its recommendation to strive for universal coverage under the social security system, with priority to disadvantaged and marginalized groups in society.[105]

57. CESCR took note of the difficulties faced by Jamaica to guarantee the right to adequate food by way of local production due to the frequency of natural hazards, inefficient farming practices, lack of suitable land, and increases in commodity prices. It was also concerned that exposure to cheaper imports based on new trading agreements had led to the displacement of local farmers.[106]

58. CESCR expressed concern at the acute housing situation in Jamaica as well as the rapid growth of squatter communities in urban areas in overcrowded, unsafe and dilapidated housing. It recommended that Jamaica adopt a comprehensive national housing strategy with a view to ensuring access to adequate and affordable housing with legal security of tenure for everyone.[107]

59. CESCR welcomed Jamaica's efforts towards the attainment of universal access to safe potable water, as set out in the Jamaica Water Sector Policy: Strategies and Action Plans. However, CESCR remained concerned that almost half of the rural population lacked access to safe potable water and to adequate sanitation facilities.[108]

H. Right to health

60. CESCR called upon Jamaica to take further measures to increase the availability, accessibility and quality of health-care services with qualified personnel.[109]

61. HR Committee was concerned at the prohibition of abortion and recommended that Jamaica amend its abortion laws to help women avoid unwanted pregnancies and not resort to illegal abortions.[110] CRC recommended that Jamaica foster responsible parenthood and sexual behaviour, undertake legal and policy reform to increase availability of sexual and reproductive health information.[111]

62. CEDAW welcomed the recent policy initiatives to strengthen women's access to health care and recommended that Jamaica improve access to and the quality of sexual and reproductive health services for women and girls, including by ensuring free and adequate access to contraceptives and by promoting education on sexual and reproductive health and rights.[112]

63. CESCR welcomed the efforts to combat HIV/AIDS, but remained concerned that HIV continued to be one of the leading causes of death among adults. CESCR recommended that Jamaica provide adequate resources to effectively implement the National HIV/STI Programme and requested Jamaica to ensure that discrimination against persons with HIV/AIDS was prohibited under its legislation.[113]

I. Right to education

64. CESCR expressed concern at the underperformance and high drop-out rates at primary and secondary levels, and at the quality of education at all levels, particularly in rural areas. CESCR called upon Jamaica to increase access to education for disadvantaged and marginalized groups.[114]

65. CEDAW was concerned about the persistence of barriers to quality education for girls and young women, including early pregnancy and teenage motherhood. It recommended that Jamaica develop a plan of action for the reintegration of pregnant girls and young mothers into schools.[115]

J. Persons with disabilities

66. CESCR was concerned that persons with disabilities continued to face discrimination in employment and denial of access to schools; it recommended that Jamaica combat discrimination against persons with disabilities.[116] CEDAW made similar recommendations with regard to women and girls with disabilities.[117] CRC recommended that Jamaica ensure the provision of inclusive education accessible to children with disabilities and to take all necessary measures to ensure that they were fully integrated into all areas of social life.[118]

K. Minorities and indigenous peoples

67. CESCR noted that there was no legislation specifically addressing the protection of traditional knowledge of indigenous peoples or communities as a whole, and encouraged Jamaica to protect traditional knowledge and cultural expressions.[119]

68. CESCR expressed concern at reports that the infrastructural needs of Maroons had been neglected by Jamaica, and recommended that the State fully guarantee the economic, social and cultural rights of that community, and ensure the protection of their tradition and culture.[120]

L. Migrants, refugees and asylum seekers

69. The Office of the United Nations High Commissioner for Refugees (UNHCR) recommended that the Government, inter alia, develop, enact and implement legislation consistent with accepted international standards, which would include conducting fair and expeditious procedures for status determination and guaranteeing the rights of all recognized refugees in Jamaica; facilitate access to asylum procedures for persons who have expressed a fear of returning to their country of origin; and ensure *non-refoulement* of all persons in need of international protection.[121] HR Committee regretted the lack of legislation on asylum-seeker and refugee protection and recommended that Jamaica provide asylum seekers and refugees with recognized identification cards to ensure equal access to social and economic opportunities.[122] CESCR and CERD made similar recommendations.[123]

Notes

[1] Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, http://treaties.un.org/. Please also refer to the United Nations compilation on Jamaica from the previous cycle (A/HRC/WG.6/9/JAM/2).

[2] The following abbreviations have been used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

[3] Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: CPED, art. 30.

[4] Jamaica ratified ICCPR-OP1 in 1975; on 23 October 1997, the Government of Jamaica notified the Secretary-General of that it was denouncing the Protocol.

[5] Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

[6] Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/IHL.

[7] International Labour Organization Forced Labour Convention, 1930 (No. 29); Abolition of Forced Labour Convention, 1957 (No. 105); Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98);

Equal Remuneration Convention, 1951 (No. 100); Discrimination (Employment and Occupation Convention, 1958 (No. 111); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182).

[8] International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169); and Domestic Workers Convention, 2011 (No. 189).

[9] Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/IHL.

[10] E/C.12/JAM/CO/3-4, para. 34.

[11] CEDAW/C/JAM/CO/6-7, para. 42.

[12] Ibid., para. 39.

[13] Ibid., para. 36.

[14] CCPR/C/JAM/CO/3, paras. 7 and 17; also A/HRC/19/61/Add.3, para. 56.

[15] CERD/C/JAM/CO/16-20, para. 14; CEDAW/C/JAM/CO/6-7, para. 28

[16] CEDAW/C/JAM/CO/6-7, para. 34; also UNHCR submission for the UPR of Jamaica, pp. 6 and 7.

[17] CERD/C/JAM/CO/16-20, para. 6.

[18] CRC/C/JAM/CO/3-4, paras. 66 and 67.

[19] CEDAW/C/JAM/CO/6-7, para. 5; see also UNCT submission for the UPR of Jamaica, para. 7.

[20] E/C.12/JAM/CO/3-4, para. 8; also CEDAW/C/JAM/CO/6-7, paras. 11 and 12; CCPR/C/JAM/CO/3, para. 8; and CERD/C/JAM/CO/16-20, paras. 7 and 9.

[21] UNCT submission for the UPR of Jamaica, para. 9.

[22] CCPR/C/JAM/CO/3, para. 6.

[23] E/C.12/JAM/CO/3-4, para. 6.

[24] According to article 5 of the rules of procedure of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) Sub-Committee on Accreditation, the classifications for accreditation used by the Sub-Committee are: A: Voting Member (fully in compliance with each of the Paris Principles), B: Non-Voting Member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination), C: No Status (not in compliance with the Paris Principles).

[25] A/HRC/19/61/Add.3, para. 50; see also: E/C.12/JAM/CO/3-4, para. 7; CERD/C/JAM/CO/16-20, para. 8; CEDAW/C/JAM/CO/6-7, para. 14; and CCPR/C/JAM/CO/3, para. 5.

[26] CCPR/C/JAM/CO/3, para. 5; CERD/C/JAM/CO/16-20, para. 8; CEDAW/C/JAM/CO/6-7, para. 14; and E/C.12/JAM/CO/3-4, para. 7.

[27] See A/HRC/16/14, para. 98.3: "Continue harmonizing its domestic legislation with its international human rights obligations (Nicaragua)".

[28] UNCT submission for the UPR of Jamaica, paras. 5 and 6.

[29] UNESCO submission for the UPR of Jamaica, paras. 25 and 26.

[30] CRC/C/JAM/CO/3-4, paras. 12 and 13.

[31] Ibid., para. 19.

[32] The following abbreviations are used in UPR documents:

CERD	Committee on the Elimination of Racial Discrimination;
CESCR	Committee on Economic, Social and Cultural Rights;
HR Committee	Human Rights Committee;
CEDAW	Committee on the Elimination of Discrimination against Women;
CAT	Committee against Torture;
CRC	Committee on the Rights of the Child;
CMW	Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Committee on the Rights of Persons with Disabilities;
CED	Committee on Enforced Disappearances;
SPT	Subcommittee on Prevention of Torture.

[33] CRC/C/JAM/CO/3-4, para. 68.

[34] CERD/C/JAM/CO/16-20, para. 17.

[35] CCPR/C/JAM/CO/3, para. 27.

[36] See CCPR/C/JAM/CO/3/Add.1 and Corr.1

[37] Letters from the Special Rapporteur for follow-up to concluding observations of the Human Rights Committee to the Permanent Mission of Jamaica to the United Nations Office and other international organizations in Geneva, dated 3 April 2013 and 2 December 2013, available from http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/JAM/INT_CCPR_FUL_JAM_15878_E.pdf and http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/JAM/INT_CCPR_FUL_JAM_15877_E.pdf**Error! Hyperlink reference not valid.** .

[38] CEDAW/C/JAM/CO/6-7, para. 43.

[39] Letter from the Chairperson of CEDAW to the Permanent Mission of Jamaica to the United Nations Office and other international organizations in Geneva, dated 25 November 2014, available from http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/JAM/INT_CEDAW_FUL_JAM_18878_E.pdf.

[40] For the titles of special procedures, see www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx and www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx.

[41] A/HRC/19/61/Add.3.

[42] UNCT submission for UPR of Jamaica, para. 6.

[43] OHCHR Management Plan 2014-2017, p. 192.

[44] CEDAW/C/JAM/CO/6-7, paras. 19, 20 and 41; see also E/C.12/JAM/CO/3-4, para. 16.

[45] CEDAW/C/JAM/CO/6-7, paras. 37 and 38.

[46] Ibid., paras. 15 and 16.

[47] E/C.12/JAM/CO/3-4, para. 12.

[48] CCPR/C/JAM/CO/3, para. 8; see also E/C.12/JAM/CO/3-4, para. 9.

[49] UNCT submission for UPR of Jamaica, para. 11.

[50] Ibid., para. 14.

[51] CERD/C/JAM/CO/16-20, para. 11.

[52] Ibid., para. 9.

[53] CCPR/C/JAM/CO/3, para. 17; see A/HRC/19/61/Add.3, para. 55.

[54] A/HRC/19/61/Add.3, para. 55.

[55] CCPR/C/JAM/CO/3, para. 17; see also A/HRC/19/61/Add.3, para. 55.

[56] CCPR/C/JAM/CO/3, para. 16; see also A/HRC/17/28/Add.1 pp. 220-221.

[57] UNCT Submission for the UPR of Jamaica, para. 29.

[58] CCPR/C/JAM/CO/3, para. 15.

[59] A/HRC/19/61/Add.3, para. 48.

[60] CCPR/C/JAM/CO/3, para. 21.

[61] A/HRC/19/61/Add.3, para. 48; see also CCPR/C/JAM/CO/3, para. 21.

[62] A/HRC/19/61/Add.3, para. 49; see also CCPR/C/JAM/CO/3, para. 21.

[63] CCPR/C/JAM/CO/3, para. 21.

[64] A/HRC/19/61/Add.3, para. 51.

[65] UNCT Submission for the UPR of Jamaica, paras. 24 and 25.

[66] CEDAW/C/JAM/CO/6-7, paras. 21 and 22.

[67] CCPR/C/JAM/CO/3, para. 19; E/C.12/JAM/CO/3-4, para. 19.

[68] CEDAW/C/JAM/CO/6-7, paras. 21 and 22; see also UNCT submission for the UPR of Jamaica, para. 14.

[69] E/C.12/JAM/CO/3-4, para. 22; see also CRC/C/JAM/Q/3-4, para. 12; and ILO Committee of Experts on the Application of Conventions and Recommendations, Observation concerning ILO Minimum Age Convention, 1973 (No. 138) – Jamaica, adopted 2012, published 102nd ILC session (2013), available from www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:307609.

[70] E/C.12/JAM/CO/3-4, para. 22; see also CRC/C/JAM/Q/3-4, para. 12; ILO Committee of Experts on the Application of Conventions and Recommendations, Observation concerning ILO Minimum Age Convention, 1973 (No. 138) – Jamaica, adopted 2012, published 102nd ILC session (2013) (see endnote 69); and Observation concerning ILO Worst Forms of Child Labour Convention, 1999 (No. 182) – Jamaica, adopted 2012, published 102nd ILC session (2013), available from www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3076234.

[71] E/C.12/JAM/CO/3-4, para. 20; also CCPR/C/JAM/CO/3, para. 20; CEDAW/C/JAM/CO/6-7, para. 25; and CRC/C/JAM/Q/3-4, para. 5.

[72] CRC/C/JAM/CO/3-4, paras. 24 and 25; also CRC/C/JAM/Q/3-4, para. 5.

[73] CRC/C/JAM/CO/3-4, para. 31; also CRC/C/JAM/Q/3-4, para. 6; and CRC/C/JAM/Q/3-4, para. 7.
[74] CRC/C/JAM/CO/3-4, paras. 33 and 35.
[75] CCPR/C/JAM/CO/3, para. 22; also CRC/C/JAM/Q/3-4, para. 14.
[76] E/C.12/JAM/CO/3-4, para. 23; CEDAW/C/JAM/CO/6-7, paras. 23 and 24; also ILO Committee of Experts on the Application of Conventions and Recommendations, Observation concerning ILO Worst Forms of Child Labour Convention, 1999 (No. 182) – Jamaica, adopted 2012, published 102nd ILC session (2013) (see endnote 70); Observation concerning ILO Forced Labour Convention, 1930 (No. 29) – Jamaica, adopted 2012, published 102nd ILC session (2013), available fromhttp://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3057160; UNHCR submission for the UPR of Jamaica, pp. 4–5; UNCT submission for the UPR of Jamaica, paras. 30–32.
[77] CRC/C/JAM/CO/3-4, para. 41.
[78] Ibid., para. 59.
[79] CCPR/C/JAM/CO/3, para. 24; also UNCT submission for UPR of Jamaica, paras. 26 and 27.
[80] UNCT, submission for UPR of Jamaica, para. 26.
[81] CCPR/C/JAM/CO/3, para. 11.
[82] Ibid., para. 10.
[83] Ibid., para. 16; also A/HRC/19/61/Add.3, para. 52.
[84] CEDAW/C/JAM/CO/6-7, paras. 13 and 14; also UNCT submission for the UPR of Jamaica, para. 16.
[85] UNCT submission for UPR of Jamaica, para. 16.
[86] CCPR/C/JAM/CO/3, para. 23; also A/HRC/19/61/Add.3, para. 54.
[87] UNCT submission for the UPR of Jamaica, para. 20.
[88] CRC/C/JAM/CO/3-4, para. 23.
[89] Ibid., para. 65.
[90] E/C.12/JAM/CO/3-4, para. 21.
[91] CEDAW/C/JAM/CO/6-7, paras. 37 and 38.
[92] CRC/C/JAM/CO/3-4, para. 29.
[93] CEDAW/C/JAM/CO/6-7, paras. 17 and 18; also CCPR/C/JAM/CO/3, para. 13.
[94] UNCT submission for the UPR of Jamaica, para. 33.
[95] E/C.12/JAM/CO/3-4, para. 15.
[96] CEDAW/C/JAM/CO/6-7, paras. 27 and 28; also E/C.12/JAM/CO/3-4, paras. 13 and14; and ILO Committee of Experts on the Application of Conventions and Recommendations, Observation concerning ILO Equal Remuneration Convention, 1951 (No. 100) – Jamaica, adopted 2011, published 101st ILC session (2012), available from http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2699161.
[97] ILO Committee of Experts on the Application of Conventions and Recommendations, Observation concerning ILO Equal Remuneration Convention, 1951 (No. 100) – Jamaica, adopted 2011, published 101st ILC session (2012) (see endnote 96).
[98] E/C.12/JAM/CO/3-4, para. 16; also CCPR/C/JAM/CO/3, par . 18; and CEDAW/C/JAM/CO/6-7, paras. 27 and 28.
[99] E/C.12/JAM/CO/3-4, para. 13.
[100] CEDAW/C/JAM/CO/6-7, paras. 31 and 32.
[101] ILO Committee of Experts on the Application of Conventions and Recommendations, Observation concerning ILO Minimum Age Convention, 1973 (No. 138) – Jamaica, adopted 2012, published 102nd ILC session (2013) (see endnote 69).
[102] E/C.12/JAM/CO/3-4, para. 17.
[103] Ibid., para. 13.
[104] CRC/JAM/CO/3-4, para. 53; also CRC/C/JAM/Q/3-4, para. 10.
[105] E/C.12/JAM/CO/3-4, para. 18; also UNCT submission for the UPR of Jamaica, para. 39.
[106] E/C.12/JAM/CO/3-4, para. 26.
[107] Ibid., para. 25.
[108] Ibid., para. 24.
[109] Ibid., para. 27.
[110] CCPR/C/JAM/CO/3, para. 14; also CEDAW/C/JAM/CO/6-7, paras. 29 and 30; and E/C.12/JAM/CO/3-4, para. 29.
[111] CRC/C/JAM/CO/3-4, para. 49; also CRC/C/JAM/Q/3-4, para. 9.

[112] CEDAW/C/JAM/CO/6-7, paras. 29 and 30; also UNCT submission for the UPR of Jamaica, paras. 40–42; E/C.12/JAM/CO/3-4, para. 29; and CCPR/C/JAM/CO/3, para. 14.
[113] E/C.12/JAM/CO/3-4, para. 28; also CCPR/C/JAM/CO/3, para. 9; CRC/C/JAM/Q/3-4, para. 9; and UNCT submission for UPR of Jamaica, paras. 43–45.
[114] E/C.12/JAM/CO/3-4, para. 30; also CRC/C/JAM/Q/3-4, para. 11.
[115] CEDAW/C/JAM/CO/6-7, paras. 25 and 26.
[116] E/C.12/JAM/CO/3-4, paras. 11 and 30; and UNCT submission for the UPR of Jamaica, para. 10.
[117] CEDAW/C/JAM/CO/6-7, paras. 35 and 36
[118] CRC/C/JAM/CO/3-4, para. 43; also CRC/C/JAM/Q/3-4, para. 8.
[119] E/C.12/JAM/CO/3-4, para. 32; also UNESCO submission for the UPR of Jamaica, para. 28.
[120] E/C.12/JAM/CO/3-4, para. 31.
[121] UNHCR submission for the UPR of Jamaica, pp. 3–4.
[122] CCPR/C/JAM/CO/3, para. 12.
[123] CERD/C/JAM/CO/16-20, para. 12; E/C.12/JAM/CO/3-4, para. 10; also CEDAW/C/JAM/ CO/6-7, paras. 33 and 34; and UNHCR submission for the UPR of Jamaica, pp. 3–4.